



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL A. CARDOZO
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USDS SDNY
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December 14, 2007

VIA FACSIMILE (212) 805-6304
Honorable Paul A. Crotty
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

December 14, 2007
Application granted
Paul A. Crotty
U.S.D.

Re: Charlotte Bryant v. City of New York, et al.
07 Civ. 10505 (PAC)

Dear Judge Crotty:

I am an Assistant Corporation Counsel in the Labor and Employment Law Division of the New York City Law Department and the attorney assigned to the defense of the City of New York ("City") in this action. I am writing to respectfully request a thirty (30) day extension of time within which the City may answer or otherwise respond to the complaint. The City's response to the complaint is currently due December 17, 2007. Plaintiff's counsel, Fred Lichtmacher, Esq., consents to this request. This is the City's first request for an extension of time to answer or otherwise respond to the complaint.

The City needs additional time to investigate plaintiff's allegations before answering or otherwise responding. To date, this office is still awaiting documents relating to plaintiff's allegations that are necessary before preparing a proper response to the complaint. Moreover, the individually-named defendant, Correction Captain William Inman, has not as yet been served. Therefore, should Your Honor grant the requested extension of time, it is respectfully requested that it also provide for a similar extension for Captain Inman, should he be served, to give this office time to determine, pursuant to Section 50-k of the New York General Municipal Law, and based upon a review of the facts of the case, whether we may represent him. *See Mercurio v. The City of New York, et al.*, 758 F.2d 862, 864-65 (2d Cir. 1985) (quoting

MEMO ENDORSED

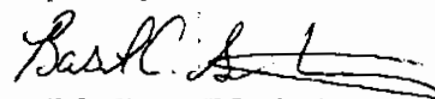
MEMO ENDORSED

Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law).

In view of the foregoing, it is respectfully requested that the Court grant the City's within request extending its time to answer or otherwise respond to the complaint until January 16, 2007.

Thank you for your consideration in this regard.

Respectfully submitted,



Basil C. Sitaras (BS-1027)
Assistant Corporation Counsel

cc: Fred Lichtmacher, Esq. (via facsimile (212) 922-9077)
Attorney for Plaintiff